

Applicants: Costa et al.  
USSN : 10/557,586  
Filed : March 3, 2006  
Examiner : Nora M. Rooney  
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Atty. Dkt. No. : 1136-PCT-US  
Art Unit : 1644  
Date of office action: June 2, 2009  
Date of response : September 4, 2009

REMARKS

Claims Status

Claims 8-10 and 14-28 are pending. Claims 8-10 had previously been withdrawn from consideration and are now cancelled without prejudice to Applicants' right to pursue the subject matter contained therein in a future application. Claim 16 has been amended, and claims 14, 15, and 17-24 have also been newly cancelled without prejudice to Applicants' right to pursue the subject matter contained therein in a future application.

Claim Objection

Claims 16 and 25-28 are objected to as being dependent upon a rejected base claim. However, the examiner has stated that they would be allowable if rewritten in independent form, including all of the limitations of the base claim (former claim 14).

Applicants submit that claim 16 has currently been rewritten to include the limitations of the base claim, claim 14. These limitations include recitation of a "multimer protein molecule" which comprises "a plurality of proteins having amino acid sequences selected from the group consisting of SEQ ID NO:1, SEQ ID NO:2, SEQ ID NO:3, and SEQ ID NO:4." As claims 25-28 are dependent upon modified claim 16, these claims require no modification to overcome the stated claim objection.

Rejection Under 35 U.S.C. § 103

Claims 14-15 and 17-24 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Vrtala et al. in view of Columbo. Claims 14-15 and 17-24 have been cancelled without prejudice to

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the Applicants' right to pursue the subject matter claimed therein. Therefore this rejection is rendered moot.

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CONCLUSION

Applicants submit that the Amendment has fully addressed the Examiner's concerns expressed in the June 2, 2009 Office Action, and should not raise additional issues. Therefore, the application is in full compliance with all requirements. Accordingly, Applicants respectfully request the Examiner to put the application in condition for allowance.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below. No fee except the SIXTY-FIVE DOLLARS (\$65.00) one month extension of time fee for a small entity is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

*Albert Wai Kit Chan*

Albert Wai-Kit Chan  
Registration No. 36,479  
Attorney for Applicants  
Law Offices of  
Albert Wai-Kit Chan, PLLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, New York 11357  
Tel: (718) 799-1000  
Fax: (718) 357-8615  
E-mail: chank@kitchanlaw.com